IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 18406 of 2007(Y)

PETITIONER:

M.J. DEVAKI, W/O. C.N.RAJAPPAN,
VARKALA, EDAKKURISSI, KAMMIBA P.O., PALAKKAD DIST.

BY ADV. SRI.C.K.RAMAKRISHNAN

RESPONDENTS:

STATE BANK OF INDIA,
MANKARA BRANCH, PALAKKAD DISTRICT.

BY ADV. SRI.K.K.CHANDRAN PILLAI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.18406 OF 2007

DATED THIS THE 26th DAY OF JULY, 2007

JUDGMENT

The petitioner is a defaulter in payment of amounts due to the respondent bank. The bank has initiated proceedings for recovery. The petitioner seeks time to pay off the amount, on the ground that the petitioner, who has retired from Government service is awaiting payment of retirement benefits, on receipt of which the petitioner would be able to pay the amounts. Even if I am inclined to entertain the prayer of the writ petition, Ext.P1 judgment would stand in my way because I myself has passed Ext.P1 judgment, wherein the petitioner's claim for indulgence has been dealt with and certain directions have been issued in the matter of payment of amounts. Admittedly, the same have not been complied with by the petitioner. In so far as Ext.P1 judgment stands the petitioner cannot seek further time by filing another writ petition now.

In the above circumstances, I am not inclined to entertain this writ petition and accordingly, the same is dismissed.

S. SIRI JAGAN, JUDGE

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